

February 29, 2024

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Ave. NW
Washington, DC 20500

The Honorable Alejandro Mayorkas
Secretary, U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528

Mr. Patrick J. Lechleitner
Deputy Director and Senior Official Performing the Duties of the Director
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528

Delivered via e-mail

RE: End solitary confinement in ICE detention

Dear President Biden, Secretary Mayorkas, and Acting Director Lechleitner:

The undersigned 194 organizations—which include medical, academic, human rights, immigration, civil rights, and faith groups—write today with an urgent call to action: **DHS must end the practice of solitary confinement in all immigration detention centers.** A new report released February 6th, "[Endless Nightmare: Torture and Inhuman Treatment in Solitary Confinement in U.S. Immigration Detention](#)," details the horrors of solitary confinement in ICE custody. The report, a collaboration between Physicians for Human Rights, researchers at Harvard Medical School, and faculty and students at Harvard Law School, is the latest in a seemingly perpetual documentation of ICE's excessive and arbitrary use of solitary confinement and the agency's violations of both international conventions and domestic and international legal standards. ICE lacks meaningful or effective oversight or accountability for these abuses, which inflict serious and sometimes irreparable harm on detained people. In short, the use of solitary confinement in immigration detention certainly meets the definition of cruel, inhuman and degrading treatment under international law, and in multiple cases documented in the report, crosses that threshold to constitute torture. It is far past time to end it.

This latest report details [FOIA data](#) revealing that people were placed in solitary confinement over 14,000 times in the last five years alone (the report also notes this is likely an undercount), with an average duration of 27 days—nearly double the 15-day threshold that United Nations human rights experts find constitutes torture. Disturbingly, in 10 of those instances, people were held in solitary confinement for *over a year*. The report also demonstrates, in harrowing detail, how people in solitary confinement are held in small cells in isolation for minor infractions, as a form of retaliation, or as "protection." This isolation, with little to no human contact, exacerbates existing mental health

conditions or leads to new ones, and underscores the dehumanizing, punitive, and carceral nature of ICE detention.

People in detention, their loved ones, attorneys, and advocates have been sounding alarm bells for over a decade. Yet time and time again, we see well-documented instances of ICE violating its own written policies. You are no doubt aware of the many official [complaints](#), [letters](#), [reports](#), [congressional hearings](#), and persistent calls for reform, including from [Members of Congress](#), [independent government agencies](#), [state officials](#), [whistleblowers](#), [government watchdog groups](#), as well as [civil and human rights NGOs](#).

Over a decade ago—soon after a major [report](#) detailed ICE’s overuse of solitary confinement—ICE issued a “[Segregation Directive](#)” providing written guidance to ICE detention sites. The directive stated that solitary confinement, particularly for vulnerable populations, should be used “only as a last resort and when no other viable housing alternatives exist.” Homeland

Notably, there is [overwhelming support](#) for ending the use of solitary confinement in the United States, including from President Biden: in 2020, the Biden/Harris campaign [pledged](#) to largely end the use of solitary confinement. Members of Congress have also introduced [federal legislation](#) to end solitary confinement. At the state and local level, more and more elected officials are taking action: since 2009, the vast majority of states have [passed](#) bills to restrict or end the use of solitary confinement.

ICE has failed to respond effectively to the mountain of evidence that it is keeping people in solitary confinement in both unnecessarily and dangerous, and at times life-threatening, conditions. We know the profound physical and mental health deterioration caused by solitary confinement. Efforts at modest reforms, such as improving data collection, reporting and oversight, and tweaking internal written guidance, have done little to stop egregious human rights violations in ICE detention. It is time to end ICE’s use of solitary confinement, full stop.

“Endless Nightmare”: Torture and Inhuman Treatment in Solitary Confinement in U.S. Immigration Detention contains detailed recommendations that can serve as a roadmap for phasing out your use of solitary confinement, as well as immediate and urgent reforms to undertake. In the meantime, we urge you to immediately and publicly commit to ending solitary confinement in ICE detention.

Sincerely,

Harvard Immigration and Refugee Clinical Program
Physicians for Human Rights

Joined by:

Acacia Center for Justice
The Advocates for Human Rights
Afghans For A Better Tomorrow
African Communities Together (ACT)
AFRIKANA
Al Otro Lado
Alianza Americas

Alianza Sacramento
American Civil Liberties Union
American Friends Service Committee (AFSC)
American Immigration Council
American Immigration Lawyers Association
American University Washington College of Law - Center for Human Rights and Humanitarian Law
Americans for Immigrant Justice
America's Voice
Amnesty International USA
Asian Americans Advancing Justice | AAJC
Asylum Seeker Advocacy Project (ASAP)
Bend the Arc: Jewish Action
Black Alliance for Just Immigration
Borderlands Resource Initiative
Boston College Law School Civil Rights Clinic
Boston Immigration Justice and Accompaniment Network
Boston University Immigrants' Rights and Human Trafficking Program
Bridges Faith Initiative
The Bronx Defenders
California Collaborative for Immigrant Justice
California Immigrant Policy Center
Capital Area Immigrants' Rights (CAIR) Coalition
Casa Marianella
Center for Constitutional Rights
Center for Gender & Refugee Studies
Center for Racial Justice, UC Santa Cruz
Center for Victims of Torture
Central American Minors (CAM) Working Group
Central American Resource Center
Centreville Immigration Forum
Children's Law Center of Massachusetts
Church World Service
Civil Rights Education and Enforcement Center
Coalition for Humane Immigrant Rights (CHIRLA)
Communities United for Status & Protection (CUSP)
Community Change Action
Community for Children
Colorado Immigrant Rights Coalition (CIRC)
Columbia Human Rights Initiative Asylum Clinic (CHRIA)
Columbia Law School Immigrants' Rights Clinic
Conversations with Friends (of Minnesota)
Cornell Asylum & Convention Against Torture Appellate Clinic

Defending Rights & Dissent
Detention Watch Network
Disability Rights California
Drug Policy Alliance
End Solitary Santa Cruz County [CA]
Estrella del Paso (Formerly DMRS)
Evangelical Lutheran Church in America
Faith In Texas
Families For Freedom INC
First Friends of New Jersey & New York
Florence Immigrant & Refugee Rights Project
Florida Legal Services, Inc.
Freedom BLOC
Free Migration Project
Freedom for Immigrants
Freedom Network USA
Friends Committee on National Legislation
Georgia Human Rights Clinic
Global Refuge
Government Accountability Project
Government Information Watch
The Gubbio Project
H-CAN Immigration and Refugees Action Group
Haitian Bridge Alliance
Hispanic Federation
Home is Here NOLA
Hope Border Institute
Houston Immigration Legal Services Collaborative
Human Rights Campaign
Human Rights First
Human Rights Watch
Humanitarian Outreach for Migrant Emotional Health (H.O.M.E.)
Illinois Alliance for Reentry and Justice
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Defenders Law Center
Immigrant Defense Advocates
The Immigrant Health Equity and Legal Partnership (ImmHELP)
Immigrant Legal Advocacy Project
Immigrant Legal Resource Center
Immigrant Service Providers Group/Health
Immigration Equality
Immigration Hub

Immigration Justice Task Force, First Parish in Concord
Innovation Law Lab
Inter-Faith Committee on Latin America (IFCLA)
International Human Rights Law Institute
International Refugee Assistance Project (IRAP)
International Rescue Committee
ISLA
JUNTOS Philadelphia
Justice Action Center
Justice in Motion
Justice & Diversity Center of the Bar Association of San Francisco
Kino Border Initiative
La Resistencia
Latin America Working Group
Latino Community Center
LatinoJustice PRLDEF
Lawyers' Committee for Civil Rights of the San Francisco Bay Area
Lawyers for Good Government
The Leadership Conference on Civil and Human Rights
LCH Behavioral Health Services PLLC
Legal Services for Children
Louisiana Advocates for Immigrants in Detention
Louisiana Organization for Refugees and Immigrants - LORI
Lutheran Social Services of the National Capital Area (LSSNCA)
Make the Road Pennsylvania
Make the Road NY
Mariposa Legal, program of COMMON Foundation
Massachusetts Immigrant & Refugee Advocacy Coalition
Massachusetts Law Reform Institute
Medical Mission Sisters - Justice Office
Mennonite Central Committee U.S.
MetroWest Legal Services
Minnesota Freedom Fund
MN8
Mobile Pathways
Mountain State Justice
Muslim Advocates
National Association of Social Workers
National Center for Transgender Equality
National Immigrant Justice Center
National Immigration Law Center
National Immigration Project

National Korean American Service & Education Consortium (NAKASEC)
National Network for Immigrant and Refugee Rights (NNIRR)
National Religious Campaign Against Torture
NETWORK Lobby for Catholic Social Justice
New York Immigration Coalition
North Carolina Justice Center
Northern New Jersey Sanctuary Coalition
Northwest Immigrant Rights Project
NYU Asylum Clinic
Oasis Legal Services
Oregon Justice Resource Center
Pangea Legal Services
Pax Christi New Jersey
Pennsylvania Immigrant and Citizenship Coalition
Pennsylvania Immigration Resource Center
People Power United
Physicians for Human Rights Student Advisory Board
Physicians for Human Rights at SUNY Downstate
Plymouth United Church of Christ, Oakland, CA
Poder Latinx
The Porchlight Collective SAP
Presente.org
Prisoners' Legal Services of Massachusetts
Public Counsel
Rights Behind Bars
Robert F. Kennedy Human Rights
Rocky Mountain Immigrant Advocacy Network
San Fernando Valley Indivisible
Sanctuary Committee -- Congregation Beth El, Sudbury, MA 01776
Seventh Generation Interfaith Coalition for Responsible Investment
Social Workers & Allies Against Solitary Confinement
Sojourners
S.O.L.A.C.E in San Diego
Solitaryconfinement.org
SPLC Action Fund
Strength and Serenity MGH Initiative to End Gender-Based Violence
Survivors of Torture International
Tahirih Justice Center
Tarjimly
Texas Civil Rights Project
Trans Queer Pueblo - Semilla de Liberación
T'ruah: The Rabbinic Call for Human Rights

Unitarian Universalist Service Committee
University of Houston Law Center Immigration Clinic
Unlock the Box Campaign
UB Human Rights Initiative
UU Mass Action
Vera Institute of Justice
Virginia Coalition of Latino Organizations
Virginia Interfaith Center for Public Policy
Washington Immigration Defense Group
Washington Office on Latin America
Wellstone Democratic Renewal Club
Win Without War
Wind of the Spirit Immigrant Resource Center
Women's Refugee Commission
Yale Center for Asylum Medicine
Young Center for Immigrant Children's Rights
#HALTsolitary Campaign

CC: Ms. Shoba Sivaprasad Wadhia, Officer for DHS Civil Rights and Civil Liberties (CRCL)